

plural databases, or document sets each having one or more documents, as documents related to each other by supporting one or more of a plurality of processes, and a document information management unit that stores and manages information on documents related to each other by supporting one or more of a plurality of processes, the documents being stored in the plural databases, wherein the linkage information and the document information are linked to each other and the linkage information includes links to the original and the update or revised document or document set based on a history identifier and based on a status identifier that identifies a process step within one of the plurality of processes.

The Office Action asserts that one of ordinary skill in the art would have combined the teaching of Egendorf, with Yanaka and Bengston to render obvious all the features recited in claim 1. This is incorrect for at least the reasons addressed below.

A. Egendorf

Egendorf teaches a document search base in which each document source, e.g., an information server, is associated with one or more search categories. Descriptive text is developed for each document source that characterizes the information contained within the document source. When performing a search, a search query is translated into language capable of querying the categories and information sources contained within the document search base.

The Office Action asserts that Egendorf teaches a linkage information management unit and a document information management unit, as recited in claim 1. This is incorrect.

Egendorf teaches a search base that contains categories and information about information sources, such as servers and URLs. Nowhere does Egendorf teach or suggest that the categories and/or descriptive packages describe documents. Further, nowhere does Egendorf teach or suggest that the relationships between the respective information sources, categories and information source descriptive packages are links between documents. For

example, as described in Egendorf at paragraphs 54 through 67, the search base provides information about the information source and how to access it, not documents.

Accordingly, Egendorf cannot reasonably be considered to have suggested a linkage information management unit that stores and manages linkage information among documents stored in the plural databases or document sets each having one or more documents as documents related to each other, the linkage information including at least one identifier of a document set, as recited in claim 1.

Further, for the same reasons asserted above, Egendorf cannot reasonably be considered to have suggested a document information management unit that stores and manages document information on the document sets each having one or more documents as documents related to each other, the documents being stored in the plural databases, the document information including at least one identifier of a document set, as recited in claim 1.

In addition, Egendorf cannot reasonably be considered to have suggested that linkage information and the document information are linked to each other when the identifier of document set included in the linkage information corresponds with the identifier of document set included in the document information, as recited in claim 1.

B. Yanaka

The Office Action acknowledges that Egendorf does not disclose or suggest document information that includes a history identifier identifying an original and update or revision of a document or document set or linkage information that includes links to the original and the update or revised document or document set based on the history identifier, as recited in claim 1. The Office Action asserts that Yanaka teaches such features and relies upon Yanaka to fill this deficiency. This is incorrect.

Yanaka teaches a method of correctly detecting an update contention between databases in a distributed database system. As described in Yanaka, with respect to Fig. 2, at col. 4, lines 1-36, and with respect to Fig. 9, at col. 6, lines 30-30, set of data 201 includes: a data identifier 202 that uniquely identifies the set of data 201; a history identifier 203 that points to an update serial number history 207; and attribute data 204 that contains the actual data stored in data set 201. The update serial number history 207 contains: a node number 205 that identifies a computer originating an update; and an update counter 206 that stores a number indicative of the number of times set of data 201 has been updated.

Contrary to the assertion made in the Office Action, at page 12, lines 10-15, data stored within the respective update serial number history tables does not correspond to previously received data stored in the database. Neither node number 205 values nor update counter 206 values stored within an update serial number history 207 can be used, alone or in combination, as an identifier for acquiring reference related data stored in the database. For example, as described in Yanaka at least at col. 4, lines 25-26, update counter 206 in update serial number history 207 is merely a number indicative of the number of times set of data 201 has been updated.

For at least these reasons, nothing related to the update serial number history 207, or its use, as described in Yanaka, corresponds to document information that includes a history identifier identifying an original and update or revision of a document or document set, as recited in claim 1. Further, nothing related to the update serial number history 207, or its use, as described in Yanaka corresponds to linkage information that links the original and the updated or revised document or document set based on the history identifier, as recited in claim 1.

C. Bengston

The Office Action acknowledges that Egendorf and Yanaka fail to teach or suggest documents related to each other by supporting one or more of a plurality of processes or status identifier identifying a process step within one of the plurality of process as recited in claim 1. The Office Action asserts that Bengston teaches such features and relies upon Bengston to fill this deficiency. This is incorrect.

For example, Bengston at col. 5, lines 5-18, states that workflow data is created by an editing device and transferred from one workflow processing device to the next. The workflow data includes a workflow file and, optionally, process data file(s). The workflow file contains an indication of process steps to be executed by the various distributed workflow processing devices. The process data file(s) contain data to be used or transformed by the workflow processing devices. Further, at col. 5, lines 29-45, Bengston states that a communication channel carries status information from the processing device back to an observing device. As the workflow progresses, portions of a graphical representation on an observing device may be highlighted to indicate the progression of the sequence of steps.

However, the above features in Bengston are described with respect to a workflow management system, only, and in isolation of any of the other features included within claim 1. For example, Bengston does not teach or suggest the above features in the context of a document integrated management apparatus which performs integrated management on plural documents stored in plural databases managed by controllers unique to the databases, as recited in claim 1.

The workflow file and process data file(s) are merely information passed to a distributed workstation by a workflow management system. Nowhere does Bengston teach or suggest that the workflow management system has any other features of the document integrated management apparatus which performs integrated management on plural

documents stored in plural databases managed by controllers unique to the databases, recited in claim 1.

D. The Reference Are Not Combinable in the Manner Suggested

The Office Action's conclusory statement, at page 7, line 4 through page 8, line 5, that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine "Bengston's workflow process steps specifying related process data files (i.e., documents) and providing status information indicating the progress of the sequence of process steps with Egendorf's document integrated management apparatus because it was desirable at the time of the invention to provide all documents needed for a process step in a workflow system in order to allow publishers, users, designers, and other human operators in an organization to execute their assigned process electronically so as to reduce costs involved in executing workflow steps manually" is not enough to prove that there is a teaching, suggestion or motivation in the prior art to combine these references in the manner suggested by the Office Action.

The Federal Circuit recently reaffirmed its prior holdings asserting that "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *In re Kahn*, Appeal No. 04-1616, March 22, 2006 (Fed. Cir.) (quoting *In re Lee*, 277 F.3d 1338, 1343-46 (Fed. Cir. 2002), and *In re Rouffet*, 149 F.3d 1350, 1355-59 (Fed. Cir. 1998)). The above conclusory statement is a mere assertion that does not meet the standard of some articulated reasoning with some rational underpinnings to support the legal conclusion of obviousness.

MPEP §2143.01 instructs that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." MPEP §2143.01 further instructs that "[a]lthough a prior

art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.'" *See also In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Applicant respectfully submits that the rejection of at least independent claim 1 is improper in view of at least MPEP §2143.01 because the Office Action lacks the required specific evidence of a teaching, suggestion or motivation in the prior art for one of ordinary skill to combine the references.

It is well settled that a rejection based on 35 U.S.C. §103(a) must rest on a factual basis which the USPTO must supply, and it is impermissible for the Examiner to engage in hindsight reconstruction of the prior art using the Applicants' claims as a template and selecting elements from references to fill the page. The references themselves must provide some teaching whereby the claimed combination would have been obvious. The Office Action fails to meet this burden.

For at least these reasons, the combination Egendorf, Yanaka and Bengston is improper. Even if combined, the combination of Egendorf, Yanaka and Bengston cannot reasonably be considered to have suggested the combination of all of the features positively recited in claim 1. Claims 8, 9, 13 and 14, include features similar to claim 1. Therefore, a combination Egendorf, Yanaka and Bengston cannot reasonably be considered to have suggested the combinations of all of the features positively recited in claims 8, 9, 13 and 14 for at least the reasons addressed above with respect to claim 1.

Additionally, claims 2-5, 7 and 10-12 each depend from one of independent claims 1 and 9. Therefore, a combination Egendorf, Yanaka and Bengston cannot reasonably be considered to have suggested the combination of all of the features positively recited in those claims, at least for their dependence upon one of independent claims 1 and 9, as well as the additional features each recites.

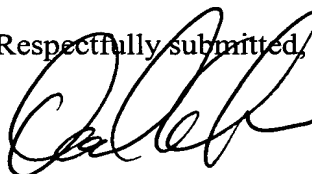
Accordingly, reconsideration and withdrawal of the rejections of claims 1-5 and 7-14 under 35 U.S.C. §103(a) as being unpatentable over any combination of Egendorf, Yanaka and Bengston are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5 and 7-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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